IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL REVISION APPLICATION NO.70 OF 2005

Vasant Mahadeo Todkar ...Applicant
vs.
Govind Mahadeo Todkar & Ors. ...Respondents

Mr.P.R.Arjunwadkar for the Applicant
Mr.R.Y.Mirza,A.P.P. for State

CORAM: A.S.OKA,J.
DATE : OCTOBER 13,2005

P.C.:

1. Heard Shri Arjunwadkar for the Applicant. This Revision application is preferred by the original complainant for challenging the order of acquittal of the accused persons for offence punishable under Sections 325, 323, 504 read with Section 34 of the Indian Penal Code. The Advocate for the Applicant submitted that the impugned Judgment of the Trial Judge is perverse in as much as the Applicant by himself and by the medical evidence has proved the allegations against the accused persons and merely because one of the eye witnesses has not supported the prosecution is no ground to acquit the accused persons.

2. Perusal of the impugned Judgment and Order shows that the learned Judge has appreciated oral and documentary evidence on record. The learned Judge found that one of the eye witnesses did not support the prosecution and other eye witness deposed that he does not know about the incident. There is no procedural illegality or manifest error of law in the impugned Judgment and Order. The evidence cannot be re-appreciated in the Revision Application. There is no merit in the Revision Application and the same is rejected.

JUDGE